

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 41552  
 :  
 Lipton, Stuart A., et al. : Confirmation Number: 5845  
 :  
 Application No.: 09/876,187 : Group Art Unit: 1632  
 :  
 Filed: June 05, 2001 : Examiner: Falk, Anne Marie  
 :  
 For: METHODS OF DIFFERENTIATING AND PROTECTING CELLS BY MODULATING THE P38/MEF2 PATHWAY

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent and Trademark Office on **Sep 17, 2009**.  
/Lori Ford/  
 Lori Ford

Dear Sir:

Transmitted herewith is a Notice of Appeal in the above-identified application.

- ☒ Applicant is entitled to small entity status under 37 CFR 1.27.  
☒ Also attached: Petition for Three-Month Extension of Time.

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	0	0	0	\$26.00 =	\$0.00
Independent Claims	0	0	0	\$110.00 =	\$0.00
Multiple dependent claims newly presented					\$0.00
Fee for extension of time					\$555.00
Fee for Notice of Appeal					\$270.00
Total of Above Calculations					\$825.00

- ☒ Please charge my Deposit Account No. 502624 in the amount of \$825.00.  
☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

/Micheal L. Hebert/  
 Micheal L. Hebert  
 Registration No. 63,329

11682 El Camino Real, Suite 400  
 San Diego, CA 92130  
 Phone: 858.720.3300 MLH:llf  
 Facsimile: 858.720.7800  
**Date: September 17, 2009**

**Please recognize our Customer No. 41552 as our correspondence address.**